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January 28, 1987

Certified Mail  
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Freeman United Coal Mining Company  
Fidelity #11  
Perry County

RE FIVED

JAN 29 1987

Mr. Bob Wall, Superintendent  
c/o Freeman United Coal Mining Company  
P.O. Box 180  
DuQuoin, Illinois 62832

MINE POLLUTION  
CONTROL PROGRAM

Dear Mr. Wall:

This inquiry letter concerns non-compliance with the requirements of the Illinois Environmental Protection Act, the State of Illinois Rules and Regulations, Title 35, Subtitle D, Chapter 1, and the NPDES permit (IL0000302) issued to the subject site.

During a routine investigation conducted January 23, 1987, representatives from this Agency observed active mining operations occurring off the permit area south of the site. Additionally, surface runoff water from the non-permitted affected area will not report to a sedimentation pond prior to entering waters of the State. As a result of the aforementioned conditions, the following violations are brought to your attention:

1. The Illinois Environmental Protection Act, Section 12(a) states, "No person shall cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act."
2. NPDES Permit IL0000302, Construction Authorization 6022-82, Special Condition #5 states, "There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued."
3. State of Illinois Rules and Regulations, Title 35, Subtitle D, Chapter 1, Section 406.108 states, "Surface drainage from the affected land of a coal mine including disturbed areas which have been graded, seeded or planted, shall be passed through a sedimentation pond or a series of sedimentation ponds before leaving the facility."



In response to the above cited violations, please submit within ten (10) days of the receipt of this letter the reasons for the alleged violations as well as a description of the steps which have been initiated to prevent any further recurrence of the above-cited violations. These steps should include the method by which surface drainage will be controlled from all affected areas and the timing in which the control measures will be complete. This information should be sent to:

Illinois Environmental Protection Agency  
Mr. William C. Ryan, Manager  
Mine Pollution Control Program  
2309 West Main Street  
Marion, Illinois 62959

If you have any questions, feel free to contact me or Gary L. Minton at the above indicated telephone number or address.

Very truly yours,

ENVIRONMENTAL PROTECTION AGENCY

*William C Ryan*

William C. Ryan, Manager  
Field Operations Section  
Mine Pollution Control Program

WCR:GLM:mgg/0236M/1-26-87

cc: MPCP/F.O.S./Marion  
MPCP/Records Unit ✓  
MPCP/Enforcement Programs/Rich Warrington  
Il. Dept. of Mines and Minerals  
Dale Walker